

## **Region 6, Office of Communities, Tribes and Environmental Assessment Tribal Accomplishments**

- Building tribal capacity and improving compliance while ensuring tribal sovereignty are key elements for protecting the environment in Indian Country. Region-wide, we now have 94% of the 65 federally recognized tribes actively working with EPA in culturally appropriate ways to improve the environment in Indian Country. EPA Region 6 is the primacy agency for Safe Drinking Water Act for 87 Tribal water systems.
- In FY 2021, [ SEQ CHAPTER \h \r 1]Region 6 supported tribal capacity activities by awarding General Assistance Program grants to 37 tribes and 1 tribal consortia. The Region's GAP allocation for this year is \$7,520,887. The Region awarded fifteen Performance Partnership Grant (PPG) grants.
- Region 6 staff [ SEQ CHAPTER \h \r 1]provided technical assistance to 61 Region 6 tribes on General Assistance Program grant applications for FY 2021, including request for approval and processing no cost time extensions.
- Tribal staff accomplished 77 EPA Tribal Environmental Plans (ETEP) activities for Tribal Nations in Region 6. Staff tracked the following ETEP activities: 3 Training Sessions; 37 Financial Agreements Review/Negotiation, and 36 Periodic Reviews. Additionally, staff held 1 discussion with program office.
- Seven tribal consultation entries were entered into TCOTS and closed.
- Monthly Regional Tribal Operations Committee (RTOC) conference calls: Region 6, staff from the Office of Communities, Tribes and Environmental Assessment (OCTEA) and its tribal partners held the monthly Regional Tribal Operations Committee (RTOC) conference calls. FY2021 hosted 3 virtual Regional Tribal Operations Committee (RTOC) meetings and a virtual Tribal Summit. Additionally, nine monthly RTOC conference calls were held during the year. Outcome/improvements from these calls/meetings include: served as an important communication outlet on pandemic updates, grant updates, consultation notices, RTOC meeting preparation, and updates on changes to OEJTA leadership.
- On April 15, 2021, staff from the Office of Communities, Tribes and Environmental Assessment (OCTEA) led off the 24th Annual EPA Region 6 Tribal Environmental Summit with a session highlighting the Region's Indian Environmental General Assistance Program (GAP) grants and tribal consultation. OCTEA Director Jonna Polk and Staff Director Gerardo Acosta provided opening remarks. The Summit is hosted virtually and continued with sessions focused on America Recycles Week tribal videos and solid waste work. The Summit hosted virtual sessions on April 20, 22, 27, & 29.
- Region 6 Pueblos and Tribal Nations and EPA held the April 14 Regional Tribal Operations Committee (RTOC) meeting virtually. The meeting included an update on the April 8 meeting between EPA Administrator Michael Regan and Oklahoma Tribal

Nations. The EPA Office of International and Tribal Affairs (OITA) provided an update on their office activities. EPA Region 6 divisions and offices provided updates as well.

- The Muscogee Nation has inquired with EPA about the general permitting requirements for a planned meat processing plant, including potential Clean Air Act (CAA) and Clean Water Act (CWA) permits. On June 9, EPA Region 6 met with The Muscogee (Creek) Nation, environmental office and EPA program offices (Tribal Affairs, Air and Water Permits Division, and Regional Counsel) to discuss inquiry. EPA addressed technical concerns on facility construction of meat processing plant on tribal trust land south of Tulsa, Oklahoma. EPA will continue to work with the Nation to advise them of any required CAA or CWA permits that may be needed either before construction or before operations at the plant begin.
- On September 27, EPA (Region 6 and OITA) held an individual consultation conference call with The Choctaw Nation of Oklahoma about the impacts of the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA). As part of SAFETEA, the state requested to administer its environmental regulatory programs within certain areas of Indian country, excluding tribal trust lands, allotments and treaty fee lands. The scheduled consultation period ends on October 13, and EPA has extended the due date to receive comments from Tribes until the end of October. Region 6 has coordinated with OITA to schedule several R6 Tribal individual consultations.
- On September 21, staff from the Office of Communities, Tribes and Environmental Assessment (OCTEA) coordinated with Water Division (WD) and Office of Regional Counsel (ORC) a consultation about how the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA) may affect wastewater treatment and permitting activities on tribal land. Choctaw Nation representatives inquired about permitting a new facility in trust land with potential to discharge approximately 100,000 gallons per day. WD staff explained the permitting process, normal timelines and factors that affect delays/expediting the process (e.g., coordination with other agencies, like U.S. Fish and Wildlife Service, addressing concerns about Total Maximum Daily Loads or TMDLs, endangered species, historic properties, outfall location, distance to water stream), and responded to questions and concerns about SAFETEA to permit requirements for wastewater treatment and permitting in Choctaw Nation.
- On Monday, August 16, 2021 the American Indian Environmental Office (AIEO) hosted a Microsoft Teams consultation meeting with the Pueblo of Santa Clara. Attendees included AIEO Director Joanne Chase, Governor Michael Chavarria, AIEO staff Lisa Berrios and William Post, Region 6 acting tribal team leader Ira Hight, and; Pueblo of Santa Clara staff member Dino Chavarria. Governor Chavarria and Director Chase discussed the current General Assistance Program (GAP) Allocation consultation. Governor Chavarria provided EPA the Pueblo's preferences regarding how EPA's allocation of Indian GAP funds should be distributed. Mr. Chavarria also provided additional information regarding the GAP allocation methodology. Director Chase expressed her gratitude to the Governor for his comments and indicated the comments from the Pueblo will be included in the consultation comments.

- On February 27, 2021, Office of Communities, Tribes and Environmental Assessment (OCTEA) staff notified Muscogee (Creek) Nation and Seminole Nation of Oklahoma regarding oil spills to Little Wewoka Creek and Little River respectively. SEMD On-Scene Coordinator and tribal emergency response contacts coordinated on the incidents.
- OCTEA joined several federal partners on FEMA's COVID-19 tribal working group virtual meeting with the Pueblo of Santa Clara. The meeting was held on Thursday, April 22. The Pueblo outlined several needs to address the Pueblo's recovery from the pandemic.

#### **Ex. 5 Deliberative Process (DP)**

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#### **Regional Office Training**

- Office of Communities, Tribe and Environmental Assessment (OCTEA) Training: On June 29-30, staff from the Office of Communities, Tribes and Environmental Assessment (OCTEA) held a region-wide training about the programs of Environmental Education, Environmental Justice, Border Affairs, NEPA, and Tribal Affairs. Agenda included video presentations, Executive Orders, EJSCREEN Overview and Demo, Border 2020, & Border 2025, Overview of National Environmental Policy Act (NEPA), Beginners Guide to NEPA, Overview of the Tribal Affairs Office and the Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA). OCTEA staff held the training virtually and recorded the sessions for later viewing. Attendance reached over 150 regional staff.